

SMT JUSTICE T. RAJANI

MACMA No.5159 of 2008

JUDGMENT:

This appeal is preferred by the insurance company, who is respondent No.2 before the tribunal below, assailing the judgment of the III Additional District Judge, Tirupati in OP.No.613 of 2005 dated 18.01.2008 on the ground that the tribunal awarded the compensation, which is excessive.

2. At the hearing, learned counsel for the appellant, though argued that income taken by the tribunal is not based on any material, fairly conceded that the income, which is taken on the basis of minimum wages, cannot be questioned as unfair.

3. This Court is also of the opinion that when there is no evidence adduced on the aspect of income, assessing the income based on the minimum wages vis-à-vis the avocation of the deceased cannot be found fault with. Hence, when there is no dispute on the aspect of income of the deceased, there cannot be any dissatisfaction that can be expressed against the award of the tribunal

In the above circumstances, this Court opines that there is absolutely no reason for interfering with the order of the tribunal. Hence, the civil miscellaneous appeal is dismissed. As a sequel, the miscellaneous applications, if any, shall stand disposed of as infructuous. There shall be no order as to costs.

March 24, 2017
DSK

T. RAJANI, J